



TFW 2152

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

09/884,531

Filing Date

06-19-01

First Named Inventor

McConnell, Brian

Art Unit

2152

Examiner Name

Bhatia, Ajay M.

Attorney Docket Number

25587-039

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please Identify
below):
Return Receipt Postcard; and
Response to Restriction
Requirement (2 pgs.)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Manatt Phelps & Phillips, LLP

Signature

Printed name

Pamela S. Merkadeau

Date

November 4, 2005

Reg. No.

53,318

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Leslie Hoffmann

Date

November 4, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.
www.USCourtForms.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: McConnell, Brian and
Krupinski, David

Application No. 09/884,531

Filed: June 19, 2001

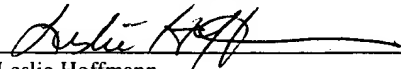
For: Interactive Voice and Text Message
System

Examiner: Bhatia, Ajay M.
Art Unit: 2152

Confirmation No.: 2612

Certificate of Mailing

I hereby certify that this correspondence is being deposited in
the United States Mail, postage prepaid in an envelope
addressed to Commissioner of Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on November 4, 2005.

By: 
Leslie Hoffmann

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed October 4, 2005 imposing a restriction/election requirement, Applicants respectfully traverse this restriction/election requirement and submit the following remarks.

REMARKS

In the Office Action, the Examiner has identified two separate inventions: Group I (Claims 1-5) and Group II (Claims 6-10). Applicants note that claim 5 was cancelled in Applicants' response to the Office Action mailed on January 11, 2005, and as such is not currently pending. Claims 1-4 and 6-10 are pending the application. Applicants traverse the outstanding restriction requirement based on the remarks presented herein.

Restriction is appropriate only when the inventions are independent or *distinct and* simultaneous examination in one application presents a serious burden on the Examiner. MPEP 803 (emphasis added). Applicants respectfully submit that the claims pending are not drawn to